

UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/915,203	07/23/2001	Theodore Walter	018684-001510US

CONFIRMATION NO. 5279

20350
TOWNSEND AND TOWNSEND AND CREW
TWO EMBARCADERO CENTER
EIGHTH FLOOR
SAN FRANCISCO, CA 94111-3834

FORMALITIES LETTER



OC000000006524587

10/11/2001 NMDHAMM1 00000091 201430 09915203

01 FC:201	370.00 CH
02 FC:205	65.00 CH
03 FC:203	225.00 CH
04 FC:202	84.00 CH

Date Mailed: 09/07/2001

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
Applicant must submit \$ 355 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).
- Total additional claim fee(s) for this application is \$305.
 - \$225 for 25 total claims over 20.
 - \$80 for 2 independent claims over 3 .
- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 725.**

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Substitute drawings in compliance with 37 CFR 1.84 because:
 - drawing sheets do not have the appropriate margin(s) (see 37 CFR 1.84(g)). Each sheet must include a top margin of at least 2.5 cm. (1 inch), a left side margin of at least 2.5 cm. (1 inch), a right side margin of at least 1.5 cm. (5/8 inch), and a bottom margin of at least 1.0 cm. (3/8 inch);



Wen Wan Ma
Wen Wan Ma

A copy of this notice MUST be returned with the reply.

Customer Service Center

Initial Patent Examination Division (703) 308-1202

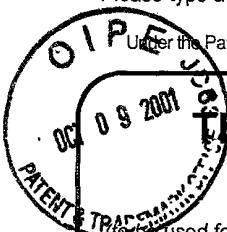
PART 2 - COPY TO BE RETURNED WITH RESPONSE

Please type a plus sign (+) inside this box →

Approved for use through 10/31/2002. OMB 0651-0031

U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

PTO/SB/21 (08-00)



TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

		Application Number	09/915,203
		Filing Date	July 23, 2001
		First Named Inventor	Watler, Theodore W.
		Group Art Unit	2681
		Examiner Name	
Total Number of Pages in This Submission		Attorney Docket Number	018684001510

ENCLOSURES (check all that apply)

<input checked="" type="checkbox"/> Fee Transmittal Form	<input checked="" type="checkbox"/> Assignment Papers (for an Application)	<input type="checkbox"/> After Allowance Communication to Group
<input type="checkbox"/> Fee Attached	<input checked="" type="checkbox"/> Drawing(s)	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment / Response	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition Routing Slip (PTO/SB/69) and Accompanying Petition	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	Duplicate copy of Fee Transmittal, PTO Notice to File Missing Parts, Declaration, Power of Attorney, Statement Under 37 CFR 3.73(b), Recordation Cover Sheet, Return Postcard
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Request for Refund	
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> CD, Number of CD(s)	
<input checked="" type="checkbox"/> Response to Missing Parts/ Incomplete Application		The Commissioner is authorized to charge any additional fees to Deposit Account 20-1430.
<input checked="" type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		Substitute drawings, in compliance with 37 CFR 1.84(g), submitted in response to Notice to File Missing Parts, mailed 09/07/01.

Remarks

The Commissioner is authorized to charge any additional fees to Deposit Account 20-1430.

Substitute drawings, in compliance with 37 CFR 1.84(g), submitted in response to Notice to File Missing Parts, mailed 09/07/01.

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm and Individual name	Townsend and Townsend and Crew LLP	Reg No. 39,315
Signature		
Date	October 3, 2001	

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on this date:

October 3, 2001

Typed or printed name	Elizabeth Risner
Signature	
Date	October 3, 2001

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

SF 1273176 v1

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.



FEE TRANSMITTAL for FY 2001

Patent fees are subject to annual revision

TOTAL AMOUNT OF PAYMENT (\$ 784

Complete if Known	
Application Number	09/915,203
Filing Date	July 23, 2001
First Named Inventor	Watler, Theodore W
Examiner Name	
Group Art Unit	2681
Attorney Docket No	018684-001510US

METHOD OF PAYMENT				FEE CALCULATION (continued)																																																																																																																																																																																																									
<p>1. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge indicated fees and credit any over payments to:</p> <p>Deposit Account Number: 20-1430</p> <p>Deposit Account Name: Townsend and Townsend and Crew LLP</p> <p><input checked="" type="checkbox"/> Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17</p> <p><input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27</p>				<p>3. ADDITIONAL FEES</p> <table border="1"> <thead> <tr> <th>Large Fee Code</th> <th>Entity Fee (\$)</th> <th>Small Fee Code</th> <th>Entity Fee (\$)</th> <th>Fee Description</th> <th>Fee Paid</th> </tr> </thead> <tbody> <tr><td>105</td><td>130</td><td>205</td><td>65</td><td>Surcharge - late filing fee or oath</td><td>65</td></tr> <tr><td>127</td><td>50</td><td>227</td><td>25</td><td>Surcharge - late provisional filing fee or cover sheet.</td><td></td></tr> <tr><td>139</td><td>130</td><td>139</td><td>130</td><td>Non-English specification</td><td></td></tr> <tr><td>147</td><td>2,520</td><td>147</td><td>2,520</td><td>For filing a request for reexamination</td><td></td></tr> <tr><td>112</td><td>920*</td><td>112</td><td>920*</td><td>Requesting publication of SIR prior to Examiner action</td><td></td></tr> <tr><td>113</td><td>1,840*</td><td>113</td><td>1,840*</td><td>Requesting publication of SIR after Examiner action</td><td></td></tr> <tr><td>115</td><td>110</td><td>215</td><td>55</td><td>Extension for reply within first month</td><td></td></tr> <tr><td>116</td><td>390</td><td>216</td><td>195</td><td>Extension for reply within second month</td><td></td></tr> <tr><td>117</td><td>890</td><td>217</td><td>445</td><td>Extension for reply within third month</td><td></td></tr> <tr><td>118</td><td>1,390</td><td>218</td><td>695</td><td>Extension for reply within fourth month</td><td></td></tr> <tr><td>128</td><td>1,890</td><td>228</td><td>945</td><td>Extension for reply within fifth month</td><td></td></tr> <tr><td>119</td><td>310</td><td>219</td><td>155</td><td>Notice of Appeal</td><td></td></tr> <tr><td>120</td><td>310</td><td>220</td><td>155</td><td>Filing a brief in support of an appeal</td><td></td></tr> <tr><td>121</td><td>270</td><td>221</td><td>135</td><td>Request for oral hearing</td><td></td></tr> <tr><td>138</td><td>1,510</td><td>138</td><td>1,510</td><td>Petition to institute a public use proceeding</td><td></td></tr> <tr><td>140</td><td>110</td><td>240</td><td>55</td><td>Petition to revive – unavoidable</td><td></td></tr> <tr><td>141</td><td>1,240</td><td>241</td><td>620</td><td>Petition to revive – unintentional</td><td></td></tr> <tr><td>142</td><td>1,240</td><td>242</td><td>620</td><td>Utility issue fee (or reissue)</td><td></td></tr> <tr><td>143</td><td>440</td><td>243</td><td>220</td><td>Design issue fee</td><td></td></tr> <tr><td>144</td><td>600</td><td>244</td><td>300</td><td>Plant issue fee</td><td></td></tr> <tr><td>122</td><td>130</td><td>122</td><td>130</td><td>Petitions to the Commissioner</td><td></td></tr> <tr><td>123</td><td>50</td><td>123</td><td>50</td><td>Petitions related to provisional applications</td><td></td></tr> <tr><td>126</td><td>180</td><td>126</td><td>180</td><td>Submission of Information Disclosure Stmt</td><td></td></tr> <tr><td>581</td><td>40</td><td>581</td><td>40</td><td>Recording each patent assignment per property (times number of properties)</td><td>40</td></tr> <tr><td>146</td><td>710</td><td>246</td><td>355</td><td>Filing a submission after final rejection (37 CFR § 1.129(a))</td><td></td></tr> <tr><td>149</td><td>710</td><td>249</td><td>355</td><td>For each additional invention to be examined (37 CFR § 1.129(b))</td><td></td></tr> <tr><td>179</td><td>710</td><td>279</td><td>355</td><td>Request for Continued Examination (RCE)</td><td></td></tr> <tr><td>169</td><td>900</td><td>169</td><td>900</td><td>Request for expedited examination of a design application</td><td></td></tr> <tr><td colspan="6">Other fee (specify)</td></tr> <tr> <td colspan="4">The Commissioner is authorized to charge any additional fees to the above noted Deposit Account.</td> <td>SUBTOTAL (3) (\$105</td><td></td></tr> <tr> <td colspan="6">*Reduced by Basic Filing Fee Paid</td></tr> <tr> <td colspan="6">**or number previously paid, if greater; For Reissues, see above</td></tr> </tbody> </table>				Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid	105	130	205	65	Surcharge - late filing fee or oath	65	127	50	227	25	Surcharge - late provisional filing fee or cover sheet.		139	130	139	130	Non-English specification		147	2,520	147	2,520	For filing a request for reexamination		112	920*	112	920*	Requesting publication of SIR prior to Examiner action		113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action		115	110	215	55	Extension for reply within first month		116	390	216	195	Extension for reply within second month		117	890	217	445	Extension for reply within third month		118	1,390	218	695	Extension for reply within fourth month		128	1,890	228	945	Extension for reply within fifth month		119	310	219	155	Notice of Appeal		120	310	220	155	Filing a brief in support of an appeal		121	270	221	135	Request for oral hearing		138	1,510	138	1,510	Petition to institute a public use proceeding		140	110	240	55	Petition to revive – unavoidable		141	1,240	241	620	Petition to revive – unintentional		142	1,240	242	620	Utility issue fee (or reissue)		143	440	243	220	Design issue fee		144	600	244	300	Plant issue fee		122	130	122	130	Petitions to the Commissioner		123	50	123	50	Petitions related to provisional applications		126	180	126	180	Submission of Information Disclosure Stmt		581	40	581	40	Recording each patent assignment per property (times number of properties)	40	146	710	246	355	Filing a submission after final rejection (37 CFR § 1.129(a))		149	710	249	355	For each additional invention to be examined (37 CFR § 1.129(b))		179	710	279	355	Request for Continued Examination (RCE)		169	900	169	900	Request for expedited examination of a design application		Other fee (specify)						The Commissioner is authorized to charge any additional fees to the above noted Deposit Account.				SUBTOTAL (3) (\$105		*Reduced by Basic Filing Fee Paid						**or number previously paid, if greater; For Reissues, see above					
Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid																																																																																																																																																																																																								
105	130	205	65	Surcharge - late filing fee or oath	65																																																																																																																																																																																																								
127	50	227	25	Surcharge - late provisional filing fee or cover sheet.																																																																																																																																																																																																									
139	130	139	130	Non-English specification																																																																																																																																																																																																									
147	2,520	147	2,520	For filing a request for reexamination																																																																																																																																																																																																									
112	920*	112	920*	Requesting publication of SIR prior to Examiner action																																																																																																																																																																																																									
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action																																																																																																																																																																																																									
115	110	215	55	Extension for reply within first month																																																																																																																																																																																																									
116	390	216	195	Extension for reply within second month																																																																																																																																																																																																									
117	890	217	445	Extension for reply within third month																																																																																																																																																																																																									
118	1,390	218	695	Extension for reply within fourth month																																																																																																																																																																																																									
128	1,890	228	945	Extension for reply within fifth month																																																																																																																																																																																																									
119	310	219	155	Notice of Appeal																																																																																																																																																																																																									
120	310	220	155	Filing a brief in support of an appeal																																																																																																																																																																																																									
121	270	221	135	Request for oral hearing																																																																																																																																																																																																									
138	1,510	138	1,510	Petition to institute a public use proceeding																																																																																																																																																																																																									
140	110	240	55	Petition to revive – unavoidable																																																																																																																																																																																																									
141	1,240	241	620	Petition to revive – unintentional																																																																																																																																																																																																									
142	1,240	242	620	Utility issue fee (or reissue)																																																																																																																																																																																																									
143	440	243	220	Design issue fee																																																																																																																																																																																																									
144	600	244	300	Plant issue fee																																																																																																																																																																																																									
122	130	122	130	Petitions to the Commissioner																																																																																																																																																																																																									
123	50	123	50	Petitions related to provisional applications																																																																																																																																																																																																									
126	180	126	180	Submission of Information Disclosure Stmt																																																																																																																																																																																																									
581	40	581	40	Recording each patent assignment per property (times number of properties)	40																																																																																																																																																																																																								
146	710	246	355	Filing a submission after final rejection (37 CFR § 1.129(a))																																																																																																																																																																																																									
149	710	249	355	For each additional invention to be examined (37 CFR § 1.129(b))																																																																																																																																																																																																									
179	710	279	355	Request for Continued Examination (RCE)																																																																																																																																																																																																									
169	900	169	900	Request for expedited examination of a design application																																																																																																																																																																																																									
Other fee (specify)																																																																																																																																																																																																													
The Commissioner is authorized to charge any additional fees to the above noted Deposit Account.				SUBTOTAL (3) (\$105																																																																																																																																																																																																									
*Reduced by Basic Filing Fee Paid																																																																																																																																																																																																													
**or number previously paid, if greater; For Reissues, see above																																																																																																																																																																																																													
<p>2. EXTRA CLAIM FEES</p> <table border="1"> <thead> <tr> <th>Total Claims</th> <th>45</th> <th>-20**</th> <th>= 25</th> <th>X \$9</th> <th>= \$225</th> </tr> </thead> <tbody> <tr> <td>Independent Claims</td> <td>5</td> <td>-3**</td> <td>= 2</td> <td>X \$42</td> <td>= \$84</td> </tr> <tr> <td>Multiple Dependent</td> <td></td> <td></td> <td></td> <td>X []</td> <td>= []</td> </tr> </tbody> </table>				Total Claims	45	-20**	= 25	X \$9	= \$225	Independent Claims	5	-3**	= 2	X \$42	= \$84	Multiple Dependent				X []	= []	<table border="1"> <thead> <tr> <th>Large Fee Code</th> <th>Entity Fee (\$)</th> <th>Small Fee Code</th> <th>Entity Fee (\$)</th> <th>Fee Description</th> </tr> </thead> <tbody> <tr><td>103</td><td>18</td><td>203</td><td>9</td><td>Claims in excess of 20</td></tr> <tr><td>102</td><td>80</td><td>202</td><td>40</td><td>Independent claims in excess of 3</td></tr> <tr><td>104</td><td>270</td><td>204</td><td>135</td><td>Multiple dependent claim, if not paid</td></tr> <tr><td>109</td><td>80</td><td>209</td><td>40</td><td>** Reissue independent claims over original patent</td></tr> <tr><td>110</td><td>18</td><td>210</td><td>9</td><td>** Reissue claims in excess of 20 and over original patent</td></tr> </tbody> </table>				Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	103	18	203	9	Claims in excess of 20	102	80	202	40	Independent claims in excess of 3	104	270	204	135	Multiple dependent claim, if not paid	109	80	209	40	** Reissue independent claims over original patent	110	18	210	9	** Reissue claims in excess of 20 and over original patent																																																																																																																																																						
Total Claims	45	-20**	= 25	X \$9	= \$225																																																																																																																																																																																																								
Independent Claims	5	-3**	= 2	X \$42	= \$84																																																																																																																																																																																																								
Multiple Dependent				X []	= []																																																																																																																																																																																																								
Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description																																																																																																																																																																																																									
103	18	203	9	Claims in excess of 20																																																																																																																																																																																																									
102	80	202	40	Independent claims in excess of 3																																																																																																																																																																																																									
104	270	204	135	Multiple dependent claim, if not paid																																																																																																																																																																																																									
109	80	209	40	** Reissue independent claims over original patent																																																																																																																																																																																																									
110	18	210	9	** Reissue claims in excess of 20 and over original patent																																																																																																																																																																																																									
SUBTOTAL (2) (\$309				SUBTOTAL (3) (\$105																																																																																																																																																																																																									

SUBMITTED BY		Complete (if applicable)			
Name (Print/Type)	Horace Ng	Registration No. (Attorney/Agent)	39,315	Telephone	415-576-0200
Signature			Date	October 3, 2001	

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Burden Hour Statement. This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231. SF 1276411 v1